

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF ALABAMA

NORTHWESTERN DIVISION

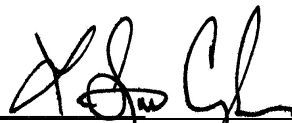
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|--------------------------|---|-----------------------|
| RAYMOND GREGORY MALONE |) | |
| |) | |
| v. |) | CV. NO. 05-CO-8021-NE |
| |) | CR. NO. 02-CO-331-NE |
| UNITED STATES OF AMERICA |) | |

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on July 25, 2006 recommending that the motion to vacate be denied. On August 10, 2006 Raymond Gregory Malone filed objections to the magistrate judge's findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and Malone's objections thereto, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, Malone's objections are due to be overruled OVERRULED and the motion to vacate is due to be DENIED. A Final Judgment will be entered.

Done this 14th day of August 2006.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
124153